

**§ 646.105 What are the purposes of these regulations?**

These regulations are designed to provide INA WtW program operators with the basic rules and guidelines needed to operate a Welfare-to-Work program which helps Native American public assistance recipients secure unsubsidized employment. Where applicable, these regulations also establish definitions and parameters not defined in the amended Social Security Act. These regulations cross-reference title V of the Balanced Budget Act of 1997, title IV of the amended Social Security Act (42 U.S.C. 601 *et seq.*), and appropriate sections of the “Welfare Reform Act”.

**§ 646.110 What are the administrative requirements for the INA WtW Program?**

Tribes and tribal consortia who are participating in the INA WtW Program shall follow the common rule, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, which is codified in DOL regulations at 29 CFR part 97. Alaska Native regional nonprofit corporations shall follow OMB Circular A-110, as codified by the Department at 29 CFR part 95. General principles of cost allowability may be found in OMB Circulars A-87 (for tribes) and A-122 (for nonprofits). The audit requirements of OMB Circular A-133 [issued in the FEDERAL REGISTER on June 30, 1997] shall apply to both tribes and nonprofits.

**§ 646.115 What are the definitions which apply uniquely to the INA WtW program?**

The definition of “substantial services” is only applicable to Indian and Native American Welfare-to-Work programs (see § 646.215 of this part).

**Subpart B—Eligibility to Receive INA WtW Grants****§ 646.200 What entities are eligible to receive INA WtW grants?**

The three categories of Federally-recognized Indian tribes or Alaska Native regional nonprofit corporations eligible to receive INA WtW funds, as de-

scribed at section 412(a)(3)(B) of the amended Social Security Act, are those which: Operate a tribal TANF program; operate a NEW program; or operate an employment program funded through other sources under which substantial services are provided to recipients of assistance under a program funded under Part A of title IV of the Social Security Act. The term “substantial services” is defined at § 646.215 of this part.

**§ 646.205 What entities are eligible to receive INA WtW grants in Alaska?**

The twelve Alaska Native regional nonprofit corporations, along with the Metlakatla Indian Community of the Annette Islands Reserve, are the only entities in Alaska eligible to apply for INA WtW grants. These nonprofit corporations are listed in section 419(4)(B) of the amended Social Security Act [42 U.S.C. 619(4)(B)].

**§ 646.210 Can a consortium composed of tribes which do not operate TANF or NEW programs still receive an INA WtW grant?**

Yes, although the consortium must collectively meet the “substantial services” criteria outlined at § 646.215 below. Refer to subpart C of this part for more information on consortium requirements.

**§ 646.215 How does a tribe document that it is currently providing “substantial services” to public assistance recipients?**

Tribes which currently operate employment programs funded through other sources, such as those under the Job Training Partnership Act (JTPA) or Employment Assistance (EA) under the Bureau of Indian Affairs (BIA), must provide verifiable documentation that: At least twenty percent (20%) of those served in such an employment program were public assistance recipients during the most recent program or fiscal year; *and* employment services have been provided to a minimum of fifty (50) public assistance recipients over the last two program or fiscal years.